

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MONSURU WOLE SHO,

Petitioner,

v.

CURRENT OR ACTING FIELD OFFICE
DIRECTOR, SAN FRANCISCO FIELD
OFFICE, UNITED STATES
IMMIGRATION AND CUSTOMS
ENFORCEMENT, et al.,

Respondents.

No. 1:21-cv-01812-TLN-AC

ORDER

Petitioner, a federal immigration detainee proceeding *pro se*, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 9, 2022, the magistrate judge issued findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 30.) Petitioner has not filed objections to the findings and recommendations, and respondents have filed a statement of non-opposition¹ to them. (ECF No. 31.)

¹ Respondents' statement of non-opposition acknowledges that their motion to dismiss is based upon review of the wrong petition. (*See generally* ECF No. 31-1.)

1 The Court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

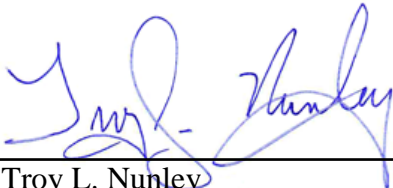
4 1. The findings and recommendations issued December 9, 2022 (ECF No. 30), are
5 ADOPTED IN FULL;

6 2. Respondents' motion to dismiss (ECF No. 27) is DENIED, and

7 3. Within fourteen days of the date of this order, Respondents shall file a response to the
8 operative petition in this case.

9 **DATED: January 30, 2023**

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Troy L. Nunley
United States District Judge